

### REMARKS

By this Amendment the specification has been amended to include standard topic headings, claim 1 has been replaced by new claim 15, which better defines the invention, and claims 2-14 have been revised for better presentation. Entry is requested.

The applicant herewith submits a supplemental page 16 for the application containing a proper abstract of the disclosure.

In the outstanding Office Action the examiner has rejected claims 1-5 under 35 U.S.C. 102(b) and (e) as being anticipated by Hauge et al., and he has rejected claims 6-14 under 35 U.S.C. 103(a) as being unpatentable over Hauge et al. in view of Loewy et al.

These rejections cannot apply to the amended claims. Hauge et al. disclose an extraction process for the recovery of phosphorus compounds from low and high grade phosphate ores via a room temperature extraction with dilute mineral acids whose calcium salts are water soluble. A general summary of the process is described from column 3, line 39 to column 4, line 14. However, this disclosure is vague concerning the several successive steps, because the disclosure of the general process must include several alternative processes.

The lixiviation (= digestion in the present invention) by the chlorhydric acid may be carried out in one step (see Example 2) or preferably in two steps (following Examples). It can be concluded that

only Example 2 is comparable to the process according to the present invention.

In Example 2 the normality of the diluted HCl is 3 N, i.e., 10% by weight (in claim 1 of the present invention the concentration of HCl is less than 10% by weight). The  $P_2O_5$  content of the ore is 8.70 % (in claim 1 of the present invention the  $P_2O_5$  content must be more than 20% by weight).

As disclosed in column 6, lines 28-47, the material which leaves the drum wherein the lixiviation is carried out is submitted to several steps of separation, such as filtration, settlement, again a filtration in order to obtain a filter cake and a leached phosphate solution. According to column 6, 38 to 63, this leached phosphate solution is then submitted to a first neutralization (first precipitate) and, after a new separation, to a second neutralization (second precipitate). Consequently, there is absolutely no neutralization of the etching liquor formed during the digestion, as in claim 1 of the present invention.

As noted above, the presently claimed method is thus clearly different from the methods indicated in Hauge et al. and not disclosed therein.

Moreover, the particular features of the method according to the invention allow an enormous simplification of the process and of the installation to be used. Effectively, several filters and settling devices may be dispensed with. Moreover, the simultaneous separation of the

materials insoluble in the digestion and of the impurities precipitated by the preliminary neutralization is surprisingly very efficacious and gives rise during the first separation to a MCP solution of high purity.

It is submitted that Hauge et al. do not disclose or suggest the method of claim 15.

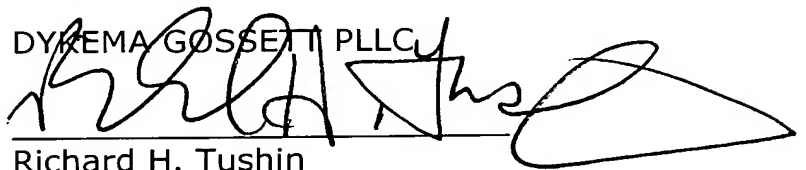
With respect to Loewy et al., this patent does not teach any neutralization during digestion of the ore. Loewy et al. cannot overcome the deficiencies in Hauge et al.

Favorable reevaluation is requested.

Respectfully submitted,

DYREMA GOSSETT PLLC

By:



Richard H. Tushin  
Registration No. 27,297  
Franklin Square, Third Floor West  
1300 I Street, N.W.  
Washington, DC 20005-3353  
(202) 906-8680